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concepts of stealing and brigandage. Urlyk is stealing or brigandage; ury is thief, robber and criminal in general, urlamak is to steal, tartyb, almak is to take away, to ransack. Theft accompanied by violence is not judged more severly than simple theft.

Among the Kirgiz, there is more severe prosecution of the theft of a considerable number of objects, for clear robbery and for taking away by force (bii Daniyar).

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Robbery accompanied by violence occurs in the following forms among the Kazakhs:

1) The plundering of every kind of traveler, such as Sart merchants and travelers. It usually opens with /160/ a request for nasvay, tobacco, or with a double meaning, for that "which is in the belt."

2) Driving horses out of the herd at night.

3) The latest kind of robbery is asking for a ticket, the presentation of which is ignored, the declaration by the robber that he intends to rob, and frightening by various threats and charges, with the request to give this or that. The aim of these circumlocutions is to discover whether the traveler has any chances of defense or not. However, robbery by force is rarely accompanied by murder.

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According to the reports of the biis Sultan and Khalmakhammed it is permissible to rob or to kidnap and not to return the objects gained in the cases below:

1) The father and grandfather can rob from a son and grandson as often as desired, and as much property as desired. It is even possible to sell everything a son has. It is permissible also to sell the son into bondage, i.e., to surrender him into service for a year, and to spend the money received (balanyng uzin kyzmetke satyb zhese kham khallal').

2) A son can rob from his grandfather and father up to three times. The fourth time a fine is imposed.

3) A kinsman can rob another kinsman to the third degree of kinship (first cousins).

4) The dzhien asks his uncles (older and younger brothers of his father) for a gift, and if he does not receive it, he can rob them up to three times. If he steals too much, they take away the superfluous part from him, leaving him 1 or 2 heads of livestock. If he steals a horse which is a racer (bayge at) the uncle can demand its return in exchange for something else. If he steals for the fourth time, they tell him: "You have forfeited the rights of a nephew" (dzhien dikten ketting).

602 The wife who leaves her husband in a disagreement should not
685 take anything with her. This would be robbery.

Robbery is permissible between relatives more distant than the third degree, with the obligation of return in so far as possible in the following cases: a) for the payment of kalym. because the increase of descendants is /161/ a laudable affair; b) for the payment of a debt; c) in time of famine; d) for a necessary trip and for the pursuit of thieves. (1)

[626] 1. Sometimes when something is missing in a village. they put a bakan (pole to raise the changarak/the hoop in the center of the tent top/ when putting up the tent) up in the middle of the village and ask the thief to place the missing object under the bakan, threatening otherwise to invite the mullah in to discover him. The mullahs have various devices for discovering a thief. They bake a flat cake, blow on it (dem salady), and give everyone a piece, and when the thief swallows his piece, he will choke on it. They put a bladder (kuuk) in the hand of everyone, in turn, and in the thief's hand it swells (kebedi). They blow on a metal pitcher, calling the names of everyone in turn. When the name of the thief is called, the pitcher begins to turn around.

685 Furthermore these same biis permit taking away a horse from a known thief who is setting out to steal, if there is proof of this. They add however, that ayb is paid if the horse is taken away without proof, even though it be from a man banished from the community for stealing or one deprived of good name (muttakham). Taking away game caught by an eagle is not robbery but is taking the "chiralga" gift by force; therefore they require it to be returned without ayb. If the taking of the game were done secretly, then it would be stealing, and ayb would be paid. Finally, it is permissible to steal in return for stealing, i. e., baranta.

E. A. Aleksandrov reports from the words of the honorable Kazakhs, Umbet Galiev and Nurman Sarchinov, of the Kazalinsk uyezd, that stealing from the son and from the father is not permitted. In general such an act results in punishment for the younger persons, and ayb or shaming before the village for the older.

•674 Horse stealing is more predominant than stealing of other livestock because horses are easier to arouse (chapchan). It takes

place especially often in the border regions of uyezds, because the search for the animal and the bringing of a suit in a strange uyezd is accompanied by difficulties, and with the solidarity of the biis, volost officials, translators and other persons with their constituents, it often ends unsuccessfully. As a result, on the borders of the uyezds boys and girls stand watch (kuzetedi) over the livestock until dawn. Long spears (nayza) with standards are erected before the tents of rich men to frighten away thieves.

/162/ Professional thieves have accomplices in the neighboring uyezd for the sale and mutual exchange of stolen goods. They steal from their own volost and from a strange volost without discernment, blindly (kuzi sokur ksidey). But there is a proverb among the Kazakhs: "A thief is like a spoon, the people are like the sea. It is easier for the first to perish from stealing, than for the latter to perish from a thief" (uru kasyk ei tengiz, ol urluk kylyb uzi kuruydi onyng ushun ei kurumaydy).

Since a repetition of robbery is punished more severely by customary law, one who has fallen into stealing sometimes moves to another uyezd where he is not yet known, and in case of another conviction he is punished as though for a first case of stealing.

A thief is often registered in another volost, and in case of a complaint, the volost administrator refuses to find the stolen object on the basis that the thief is not subject to him. Meanwhile the administrator of the volost in which the thief is registered is unable to know anything because he is so far away.

The Tiuri of the Chimkent uyezd also command stealing. They consider it shameful for themselves to engage in agriculture.

The tents of thieves stand alone, or in small groups of 3, 4, or 5 tents. In general the more people there are, the safer it is in the steppe.

Stolen property when it is found is confiscated in favor of the owner, even though it may have already passed into strange hands by means of sale or as a gift. The person in whose possession it is found must produce the one from whom he received it, within a certain period of time. Sometimes the bii requires the person who has the stolen property to ride with the plaintiff to that locality where he hopes to find the seller of this property, and show him to the local authorities. If he finds the actual thief there, he demands from him a reimbursement of his losses. If the accused does not carry out the demand to go to the place where he says the thief is, and asserts that

674 Stealing among the Kazakhs is a rather
685 widespread crime. They steal horses, primarily. If the thief is caught there is the custom of taking the stolen animal away from him and adding to this a fine of twice its value. As the Kazakhs say - in such cases it is almost always a question of horses - ' on the neck an addition, to the tail a support ' (in Kazakh: muinena kosɜau, kutenia-terkiau). This punishment is
695 called 'aip' or 'aibana'. In case there are no witnesses, the oath of some outside person is needed /346/ who is known for his honesty and who knows the accused. If such a person is found and wishes to give his oath on the innocence of the accused, then the latter is definitely released from the charge. It must be said that this is a very reliable way in
[577] general of learning the truth. It costs the Kazakh nothing to lie himself, but for some reason he will not consent to take someone else's lie upon himself.

In general, the oath, as soon as it happer between Kazakhs and not to aid an infidel, that is, a Russian, has a very serious significance and is considered sacred. At the present time it is usually given with the kissing of the Koran in the presence of an honored person or mullah, but earlier, various rites were observed. For example, it was necessary to lick the fingernail, looking at the sun, or to say the oath with the muzzle of a loaded gun in the mouth. This has already gone out of use
[778] today. In important cases, however, even now, those who are to swear are invited to some holy sepulchre and it is suggested that as they say the oath they cut off the branch of a holy tree there. It is a rare Kazakh who will consent to this sacrilege if it is a false oath.

871 somewhere into the midst of the numerous winter camps, and collect the children, almost exclusively boys, for several hours every day. The little girls learn to read and write very rarely, and only at home with their parents.

[876] The instruction consists of learning verses by heart in chorus and in a singsong voice, supplemented by dictation of Tatar phrases. In the instruction there is no unity and no definite rules. As a result it often happens that the pupils of one mullah can make out only with difficulty what is written by the pupils of another, because they have learned ortography by different rules.

• 674 Moral training. The evidence from juridical statistics for the nomads is very incomplete, because most of the misdemeanors and crimes remain unknown to the authorities due to the extent of the territory and the mobility

[186] of nomadic life. In addition, many crimes are concealed consciously from the Russian administration by the nomad leaders because they consider it a sufficient accounting to settle them in the native manner. Furthermore it cannot be said that justice suffers particularly because of this. In any case the people are satisfied with it and prefer a judgment according to their ancient customs to our criminal or civil court practice, which is definitely inaccesible to their concepts.

181 The character of the Kazakhs has all the qualities of the character of young nations and those, so to speak, not yet formed. In its main features their character is similar to the common Asiatic one, that is, the Kazakh has a conditional honesty and bravery as long